

PENNSYLVANIA GENERAL ASSEMBLY

**JOINT LEGISLATIVE AIR AND WATER POLLUTION
CONTROL AND CONSERVATION COMMITTEE**

1994 ANNUAL REPORT

January, 1995

To: All Members of the General Assembly

From: Senator Raphael Musto, Chairman
Richard G. Fox, Executive Secretary

Subject: 1994 Annual Report

Date: January 1995

Pennsylvania has made solid progress in addressing the environmental problems that face the Commonwealth and initiated an aggressive approach toward the management of our natural resources. The Joint Legislative Air and Water Pollution Control and Conservation Committee has provided much needed research and support to help the General Assembly make informed decisions regarding the adoption of statewide environmental policies. In 1994, the Committee was a vital link between the public and government agencies on such issues as the management of forest resources in Pennsylvania; timber theft; the creation of an independent agency for state parks; and scrap tire management.

Successful efforts to solve environmental problems and properly manage Pennsylvania's natural resources often depend on the ability to work together. The challenge in the future is to continue to work together and build on the momentum created by past successes. The 1994 Annual Report of the Joint Legislative Air and Water Pollution Control and Conservation Committee reviews the research and legislative activities that the Committee has undertaken during the past year. The Committee's agenda for 1995 will include more work on Pennsylvania's state park system and the management of forest resources. The Committee members and staff are looking forward to working with the General Assembly on these issues in the coming year.

FOREST RESOURCES MANAGEMENT

Christened “Penns Woods” by its founder, Pennsylvania’s forests have a long and varied history with respect to timber harvesting and forest management. Pennsylvania’s forests cover more than 17 million acres of the Commonwealth. Private individuals now own more forest land in Pennsylvania than industry and government combined. Nearly 500,000 people own more than 11 million acres of forest land. Today, this valuable resource provides recreation and wildlife habitat, and contributes to clean air and water. In addition, Pennsylvania’s forest land supports a thriving hardwood timber industry; the state’s fourth largest industry. The timber industry is generating \$4.5 billion a year in forest products. Pennsylvania ranks second in the nation for hardwood timber volume and has some of the finest hardwoods in the country.

Aside from private holdings, the state forest system has more than two million acres in 41 counties. The volume of timber on state forest land continues to rise. Since 1978, the growth of sawtimber has increased 39 percent statewide. In addition to containing some of the most valuable hardwoods in the world, state forest lands have large reserves of mineral resources; primarily natural gas, oil, and coal.

Recognizing the importance of properly managing this resource, the Joint Legislative Air and Water Pollution Control and Conservation Committee (Committee) issued a report on forest management to the Pennsylvania General Assembly in January 1994. The report was the result of a series of public hearings that the Committee held on this issue. The report covered forest regeneration, deer control strategies, biological diversity and old-growth forests, timber management on state forest land, and the management of forest land under private ownership. The following recommendations were made in the report:

- ***The General Assembly should consider a concurrent resolution establishing a forestry task force to further investigate the issues of forest resources management in Pennsylvania, and;***
- ***Rather than require statewide forestry practices legislation, the Committee encourages the creation of incentives for the use of voluntary forest management practices on land under private ownership. By amending the “Pennsylvania Farmland and Forest Land Assessment Act”, preferential tax assessments could be given to private landowners that prepare a forest management plan.***

Copies of the Committee's "*Special Report on Forest Resources Management in Pennsylvania*" may be obtained from the Committee office.

LEGISLATIVE TASK FORCE ON FOREST RESOURCES MANAGEMENT

Following the Committee's recommendation to consider a concurrent resolution creating a forestry task force to further investigate forest management issues, House Resolution 263 was introduced in March 1994, and Senate Resolution 113 was introduced in April 1994.

These resolutions directed the Committee to further study forest management issues in Pennsylvania and create a forestry task force. The task force will consist of two members each from the Pennsylvania House and Senate. The resolutions also established an advisory committee to assist the task force and staff in studying forestry issues.

The members of the advisory committee would consist of five government agencies including the Bureau of Forestry; the Hardwoods Development Council; the Pennsylvania Game Commission; The Pennsylvania State University, School of Forest Resources; and the United States Forest Service. In addition to these agencies, the advisory committee would have representatives from five business organizations; five environmental organizations; and representatives from three other organizations that the task force considers appropriate.

Amended versions of House Resolution 263 passed the House on September 27, 1994 by a vote of 199-0; and passed the Senate on November 22, 1994 by a vote of 50-0.

Additional information on the task force and advisory committee may be obtained from the Committee office.

TIMBER TRESPASS LEGISLATION

During the public hearings on forest resources management, the issue of timber trespass or timber theft was brought to the Committee's attention. On February 17, 1994, Act 10 of 1994, became law. This act amends Title 42 of the Pennsylvania Consolidated Statutes by strengthening the penalties for timber removal from Pennsylvania forest lands without consent of the landowner. The new

law allows landowners to recover three times the market value of the timber intentionally cut or removed. The Committee worked with members of the hardwood industry, government agencies, and landowners to get this needed change in judicial procedure enacted into law.

SCRAP TIRE MANAGEMENT

An estimated 242 million scrap tires are generated each year in the United States. Since 1984, the generation of scrap tires has grown almost 2 percent annually. Less than 7 percent of these tires are recycled; with approximately 11 percent being used as fuel; 5 percent being exported; and the remaining 77 percent being landfilled, stockpiled, or illegally dumped. More than 50 percent of the nation's rubber is used to make tires, however, new tires contain no more than 2 percent recycled rubber.

In Pennsylvania, 12 million scrap tires are generated each year with 36 million tires already stockpiled. These large tire piles create fire hazards and heavy mosquito infestations throughout the Commonwealth. To explore options for dealing with scrap tires, the Committee held a meeting with waste management experts and tire recyclers on April 6, 1994.

Participants in the meeting suggested that Pennsylvania should approach the problem of scrap tires from a resource management perspective rather than a solid waste perspective. Scrap tires, along with other recyclable materials, can and should be viewed as commodities rather than waste. This view would generate greater support for emerging markets and the beneficial use of scrap tires.

The following issues were offered for consideration during the meeting:

- *Devoting greater resources to developing markets for tire derived fuel;*
- *Phasing-in bans on land disposal of tires as markets are developed; and*
- *Creating a scrap tire management fund financed through a "per tire" assessed fee at point of purchase.*

Today, 47 states have laws or regulations addressing the management of scrap tires and 25 states ban tires from landfills. The Committee is currently reviewing the regulation of scrap tires in other states and is considering legislative options for scrap tire management in Pennsylvania.

A copy of the minutes from the April 6, 1994 meeting on scrap tire management and additional information on scrap tires may be obtained from the Committee office.

PENNSYLVANIA STATE PARKS

The Committee has a history of working on state park issues in Pennsylvania. In the past, the Committee examined the issues of private development in state parks, the backlog of maintenance projects within the state park system, and establishing a guaranteed funding source for state parks. The current backlog of maintenance projects in state parks is estimated at \$170 million. With the creation of the Keystone Recreation, Park and Conservation Fund (Act 50 of 1993), the Pennsylvania Department of Environmental Resources will receive \$17 million in bond funds and a portion of Pennsylvania's realty transfer tax (estimated to be \$8 million annually) for maintenance projects in the 114 state parks. While this funding commitment will help, it will not adequately meet the maintenance needs of the state park system.

In 1994, the Committee continued its commitment to Pennsylvania's state parks. On October 25, 1994, the Committee held a public hearing to address legislative proposals to create independent agencies for the state parks and forests; maintenance needs in state parks; and funding alternatives.

The Committee plans to schedule more hearings on these issues in 1995. For more information, please contact the Committee office.

UNIT PRICING FOR MUNICIPAL WASTE

Traditionally, waste management companies have provided communities with unlimited waste disposal services financed by "all-you-care-to-throw" flat rate systems. In an effort to reduce the generation of solid waste, more communities have started to look at "pay-as-you-throw", variable rate, or unit pricing systems. According to the Department of Environmental Resources, unit pricing systems for municipal waste are becoming more popular in Pennsylvania.

In an effort to provide more information on the operation and effectiveness of unit pricing programs, the Committee staff prepared a monograph titled, "*An*

Assessment of Unit Pricing For Municipal Solid Waste". The monograph describes the unit pricing systems being used in eight Pennsylvania communities and compares their recycling and waste generation rates.

Copies of the research monograph on unit pricing may be obtained from the Committee office.

ENVIRONMENTAL SYNOPSIS

The *Environmental Synopsis* is a monthly newsletter, written by the Committee staff, that covers state, national, and international environmental issues. Issues in 1994 included the cost of wetland restoration projects; the use of tree buffers to protect watershed areas; winter road salt and its effect on the environment; cleanup efforts in coastal areas; and a review of Canadian forest policies. The *Environmental Synopsis* is distributed to all members of the General Assembly and to more than 400 other locations including business and industry, environmental organizations, government agencies, colleges and universities, and individual homes.

Anyone wanting to receive the *Environmental Synopsis* can contact the Committee office or use PENFAX, the PenCycle Information System operated by the Pennsylvania Resources Council. With PENFAX, the newsletter can be obtained through your fax machine by dialing (610)-353-5696 on your fax machine telephone and selecting document #6002.

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COMMITTEE REPORTS

The following Committee reports are available upon request:

- Pennsylvania State Parks, 1989.
- Watershed Protection and Senate Bill 1012 of the Session of 1989, 1990.
- The Use and Regulation of Roadside Springs in Pennsylvania, 1990.
- Research Monograph: Endangered Funds For Species of Special Concern: A Review Of Pennsylvania's Wild Resource Conservation Act, May 1990.
- Research Monograph: Urban Storm Water Management, May 1991.
- Septage Management and Disposal in Pennsylvania, July 1991.
- A Review of PENNVEST - The Pennsylvania Infrastructure Investment Authority Program, 1991.
- Water Resources Management in Pennsylvania, 1992.
- Annual Report, 1992.
- Research Monograph: The Recycling and Regulation of Used Oil, February 1992.
- The Use of Geothermal Heating and Cooling Systems in Pennsylvania, 1992.
- Research Monograph: Using Employer Trip Reduction Programs to Improve Air Quality, December 1992.
- Annual Report, 1993.
- Special Report on the 1993 Water Resources Management Conference, 1993.
- Research Monograph: Recycling Residential Graywater for Other Uses, August 1993.
- Report on the hearings held on Forest Resources Management, 1994.
- Annual Report, 1994.
- Research Monograph: An Assessment of Unit Pricing for Municipal Solid Waste, September 1994.